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CLEARINGHOUSE RULE 96-180

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

- a. In s. DOC 308.04 (5) (a), the period after “(a)” should be removed.
- b. SECTION 35 purports to repeal and recreate s. DOC 308.04 (8). In fact, it is repealing sub. (8) and creating sub. (9). These two actions should be in two separate SECTIONS of the rule. Also, “may” should replace “shall have the right to.”

4. Adequacy of References to Related Statutes, Rules and Forms

In proposed s. DOC 308.03 (4), the reference to s. DOC 306.24 (1) is to a rule that does not currently exist.

5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. The reference to “state” in revised s. DOC 308.01 is incorrect--the correct reference is “staff.”
- b. Section DOC 308.03 (9) refers to a violation of “state, municipal statutes, or institutional policy or procedure.” A more complete description of these laws and policies would be a violation of “state statutes or administrative rules, county or municipal ordinances or resolutions, or institutional policies or procedures.” The department should also consider whether a violation of federal laws should be included within this definition.